

**RESOLUTION NO. CZAB12-14-05**

*WHEREAS*, **DADELAND BREEZE APARTMENTS L. L. C.** applied for the following:

RU-4M to PAD

Plans are on file and may be examined in the Zoning Department entitled "H+H Development," as prepared by Cohen-Freedman-Encinosa & Associates, Revision #2 dated 12/27/04 and consisting of 17 sheets. Plans may be modified at public hearing.

**SUBJECT PROPERTY:** A portion of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and a portion of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  all in Section 34, Township 54 South, Range 40 East, being particularly described as follows:

Commence at the Southwest corner of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34; thence run N87° 54'27"E along the south boundary of said Section 34 a distance of 432.11' to a point, said point being 898.41' west of the Southeast corner of said Section 34 and being on a line that is 20' east of and parallel to the east face of a 1 story C.B.S. building; thence run N02° 04'38"W along a line that is 20' east of and parallel to the east face of a 1 story C.B.S. warehouse building a distance of 55' to the point of intersection with the north right-of-way boundary of State Road #94 (N. Kendall Drive) as shown on the right-of-way map recorded in Plat book 78, Page 35; said point being the Point of beginning of the parcel of land hereinafter to be described; thence continue on the last described course a distance of 597.97' to the Point of intersection with the north boundary of said SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 34; said point being 433.52' east of the Northwest corner of said SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 34; thence run N87° 50'41"E along the north boundary of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34 a distance of 873.38' to a Point of intersection with the west right-of-way boundary of State Road #826 (Palmetto By-Pass) as shown on a right-of-way map recorded in Plat book 70, Page 6; said point being on a line that is 25' west of and parallel to the east boundary of Section 34; thence run S2° 04'46"E along said west right-of-way boundary and along a line that is 25' west of and parallel to the east boundary of said Section 34 a distance of 233.24' to a point; thence run S5° 48'45"W along said west right-of-way boundary a distance of 364.14' to a point, said point being on a line that is 75' west of and parallel to the east boundary of said Section 34 and being also on a line that is 60' north of and parallel to the south boundary of said Section 34; thence run S87° 54'27"W along a line that is 60' north of and parallel to the south boundary of said Section 34 and along the north right-of-way line of said State Road 826, a distance of 632.73' to a point; thence run S2° 04'43"E along the west right-of-way boundary of State Road 826, a distance of 5' to a Point of intersection with the north right-of-way boundary of said State Road #94; thence run S87° 54'27"W along the north right-of-way boundary of said State Road #94 a distance of 190.67' to the Point of beginning. LESS: The north 30' thereof for road purpose as recorded in Official Record Book 4704, Page 337, and being more particularly described as follows:

Commence at the Northeast corner of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 34, Township 54 South, Range 40 East; thence run S87° 50'41"W along the north line of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34 for 25' to the Point of beginning; thence continue S87° 50'41"W along the north line of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34 for 873.38'; thence run S2° 04'38"E for 30' to a point on a line that is 30' south of and parallel to the north line of the south  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 34; thence run N87° 50'41"E along the line that is 30' south of and parallel to the north line of

the south ½ of the SE ¼ of the SE ¼ of said Section 34 for 848.35' to the Point of curvature of a circular curve, concave to the Southwest with a radius of 25'; thence run SE/ly along the arc of said curve for 39.3' to the Point of tangency on the west line of the east 25' of the SE ¼ of said Section 34; thence run N2° 04'48"W along the west line of the east 25' of the SE ¼ of said Section 34 for 55.03' to the Point of beginning.

LOCATION: The Northwest corner of S.W. 77 Avenue & S.W. 88 Street; A/K/A: 7701 N. Kendall Drive, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to PAD would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and

*WHEREAS*, a motion to deny the application with prejudice was offered by Robert W. Wilcosky, seconded by Carla Savola, and upon a poll of the members present the vote was as follows:

Peggy Brodeur	aye	Carla Savola	aye
Jackie Hernandez-Toraño	absent	Nelson A. Varona	nay
Millie Herrera	aye	Robert W. Wilcosky	aye
Jose I. Valdes	aye		

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 12, that the requested district boundary change to PAD be and the same is hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

*PASSED AND ADOPTED* this 10<sup>th</sup> day of May, 2005.

Hearing No. 05-3-CZ12-2  
Is

**STATE OF FLORIDA**

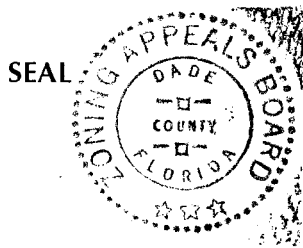
**COUNTY OF MIAMI-DADE**

I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-14-05 adopted by said Community Zoning Appeals Board at its meeting held on the 10<sup>th</sup> day of May 2005.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 16<sup>th</sup> day of May 2005.



Luis Salvat, Deputy Clerk (2678)  
Miami-Dade County Department of Planning and Zoning





Department of Planning and Zoning

Stephen P. Clark Center  
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miamidade.gov

May 16, 2005

Dadeland Breeze Apartments, L.L.C.  
c/o Juan Mayol, Jr.  
Holland + Knight  
701 Brickell Avenue, Suite 3000  
Miami, Florida 33131

Re: Hearing No. 05-3-CZ12-2 (04-366)  
Location: Northwest corner S.W. 77 Ave. & S.W. 88 St., a/k/a  
7701 N. Kendall Drive, Miami-Dade County, Florida

Dear Mr. Mayol:

Enclosed herewith is Resolution No. CZAB12-14-05, adopted by the Miami-Dade County Community Zoning Appeals Board 12, which denied, with prejudice, your client's application on the above-noted location.

Please note that any aggrieved party may appeal the Board's decision to the Board of County Commissioners, within 14 days from the date of posting on the 11<sup>th</sup> floor of the Stephen P. Clark Building, 111 N.W. 1<sup>st</sup> Street, Miami, FL 33128. The date of posting is May 16, 2005.

Sincerely,

Lou Salvat  
Deputy Clerk

Enclosure

ADA Coordination  
Agenda Coordination  
Animal Services  
Art in Public Places  
Audit and Management Services  
Aviation  
Building  
Building Code Compliance  
Business Development  
Capital Improvements Construction Coordination  
Citizens' Independent Transportation Trust  
Commission on Ethics and Public Trust  
Communications  
Community Action Agency  
Community & Economic Development  
Community Relations  
Consumer Services  
Corrections & Rehabilitation  
Cultural Affairs  
Elections  
Emergency Management  
Employee Relations  
Empowerment Trust  
Enterprise Technology Services  
Environmental Resources Management  
Fair Employment Practices  
Finance  
Fire Rescue  
General Services Administration  
Historic Preservation  
Homeless Trust  
Housing Agency  
Housing Finance Authority  
Human Services  
Independent Review Panel  
International Trade Consortium  
Juvenile Assessment Center  
Medical Examiner  
Metro-Miami Action Plan  
Metropolitan Planning Organization  
Park and Recreation  
**Planning and Zoning**  
Police  
Procurement Management  
Property Appraiser  
Public Library System  
Public Works  
Safe Neighborhood Parks  
Seaport  
Solid Waste Management  
Strategic Business Management  
Team Metro  
Transit  
Task Force on Urban Economic Revitalization  
Vizcaya Museum And Gardens  
Water & Sewer

*Delivering Excellence Every Day*